



Order Filed on August 3, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)  
Denise Carlon, Esquire  
KML Law Group, P.C.  
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Westmont, NJ 08108  
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Attorneys for Secured Creditor  
Lakeview Loan Servicing, LLC

Case No.: 17-34495 ABA

In Re:  
Horace W. Smith,  
Debtor.

Adv. No.:

Hearing Date: 7/10/18 @ 10:00 a.m.

Judge: Andrew B. Altenburg Jr.

### **ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED.**

**DATED: August 3, 2018**



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Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

**(Page 2)**

Debtor: Horace W. Smith

Case No: 17-34495 ABA

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Lakeview Loan Servicing, LLC, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 654 Astor Street, Norristown PA 19401, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Andrew Thomas Archer, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of July 23, 2018, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due January 2018 through July 2018 for a total post-petition default of \$5,311.59 (7 @ \$867.45 less suspense balance of \$760.56); and

It is **ORDERED, ADJUDGED and DECREED** that an immediate payment of \$500.00 will be paid no later than July 31, 2018; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$4,811.59 will be paid by Debtor remitting \$801.00 per month for five months and \$806.59 for one month in addition to the regular monthly mortgage payment, which additional payments shall begin on August 1, 2018 and continue for a period of six months until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume August 1, 2018, directly to Secured Creditor's servicer, M&T Bank, ATTN: Payment Processing, Buffalo, NY 14240-1288 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan; and

**(Page 3)**

Debtor: Horace W. Smith

Case No: 17-34495 ABA

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It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.

**Certificate of Notice Page 4 of 4**  
**United States Bankruptcy Court**  
**District of New Jersey**

In re:  
 Horace W. Smith  
 Debtor

Case No. 17-34495-ABA  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
 Form ID: pdf903

Page 1 of 1  
 Total Noticed: 1

Date Rcvd: Aug 03, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 05, 2018.

db +Horace W. Smith, 2465 Coronado Dr, Vineland, NJ 08360-6805

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 05, 2018

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 3, 2018 at the address(es) listed below:

Alexandra T. Garcia on behalf of Creditor Bayview Loan Servicing, LLC NJECFMAIL@mwc-law.com, nj-ecfmail@ecf.courtdrive.com  
 Andrew Thomas Archer on behalf of Debtor Horace W. Smith aarcher@brennerlawoffice.com, bankruptcy@brennerlawoffice.com;r64966@notify.bestcase.com  
 Denise E. Carlon on behalf of Creditor LakeView Loan Servicing, LLC dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com  
 Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com  
 Melissa S DiCerbo on behalf of Creditor Bayview Loan Servicing, LLC nj-ecfmail@mwc-law.com, nj-ecfmail@ecf.courtdrive.com  
 Mina M Beshara on behalf of Creditor Bayview Loan Servicing, LLC nj-ecfmail@mwc-law.com  
 Rebecca Ann Solarz on behalf of Creditor LakeView Loan Servicing, LLC rsolarz@kmllawgroup.com  
 U.S. Trustee USTPRRegion03.NE.ECF@usdoj.gov

TOTAL: 8